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**BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF UTAH**

<b>COMPLAINANT:</b>	:	<b>NOTICE OF INFORMAL</b>
	:	<b>ADJUDICATIVE PROCEEDING</b>
UTAH INSURANCE DEPARTMENT	:	<b>AND ORDER</b>
	:	
<b>RESPONDENT:</b>	:	<b>SUSPENSION OF CERTIFICATE</b>
	:	<b>OF AUTHORITY</b>
LINCOLN GENERAL INSURANCE COMPANY	:	
3501 Concord Road	:	<b>Docket No.</b> <u>2013-052 EX</u>
P.O. Box 3709	:	
York, PA 17402	:	Enf. Case No. <u>3288</u>
Utah Company Id. No. 1754	:	

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The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Annotated §§ 31A-2-201 and 63G-4-201 and Utah Administrative Code Rule R590-160. Based upon information contained in agency files or known to the Commissioner, the Commissioner makes the following:

**FINDINGS OF FACT**

1. The Respondent is an insurer domesticated in the State of Pennsylvania, holding a certificate of authority to do an insurance business in the State of Utah, Utah Company Identification No. 1754. That Certificate of Authority was suspended on May 10, 2011, Docket No. 2011-074-EX, Enf. Case No. 2824.

2. Respondent continues to be insolvent, with a total adjusted capital of – \$6,970,943.

Having entered his Findings of Fact, the Commissioner now enters the following:

**CONCLUSIONS OF LAW**

1. Pursuant to U.C.A. § 31A-14-205(7), if a licensed foreign insurer is in rehabilitation in its state of domicile, the Commissioner may, without hearing, suspend the insurer’s certificate of authority to do business in this state.

Based upon the forgoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

**ORDER**

**IT IS HEREBY ORDERED:**

1. Respondent’s Utah Certificate of Authority is again suspended as of the date this Order becomes final for a period of 12 months or until further order of the commissioner. During the period of suspension of Respondent’s Certificate of Authority, Respondent may service existing policies insuring Utah residents or covering risks in the State of Utah, including renewal of those policies. However, Respondent shall not solicit, market, sell or place new policies of insurance in the State of Utah.

2. Respondent remains under the jurisdiction of the Utah Insurance Commissioner until released from regulation pursuant to the requirements of the Utah Insurance Code.

3. During the period of suspension of Respondent’s Certificate of Authority, Respondent shall continue to file its Annual Statement and renewal of its Certificate of Authority.

4. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department prior to that date. A written request for a hearing shall be signed by the person making the request and shall state the basis for the relief requested.

DATED this 30<sup>th</sup> day of April, 2013.

TODD E. KISER  
INSURANCE COMMISSIONER



MARK E. KLEINFELD, Esq.  
Administrative Law Judge  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, UT 84114  
Telephone (801) 538-3800

**NOTIFICATION**

If you request a hearing regarding this matter, the department will be represented by M. Gale Lemmon, Assistant Attorney General, 160 East 300 South, Fifth Floor, P.O. Box 140874, Salt Lake City, Utah 84114-0874, Telephone Number (801) 366-0375. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$5,000.00 per violation and the suspension or revocation of your license or the filing of an action in District Court, which may impose forfeitures of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.